

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

HARLEY E. BARNES, III (2)

No. 3:19-CR-00521-K

GOVERNMENT'S UNOPPOSED MOTION TO DISMISS

Pursuant to Federal Rule of Criminal Procedure 48(a), the government respectfully moves this Honorable Court to dismiss, only as to Harley E. Barnes, III, all outstanding charges in the original and first superseding indictments in *United States v. DeGroot et al.*, case number 3:19-CR-521-K.

The government and defendant agreed, pursuant to a plea agreement in *United States v. Comu et al.*, case number 3:19-CR-112-K, which is also before the Court, that the government would dismiss the indictment and superseding indictment against Barnes in *United States v. DeGroot et al.*, No. 3:19-CR-521-K upon the Court's acceptance of Barnes's plea in *United States v. Comu et al.*, No. 3:19-CR-112-K. Subsequently, the Court accepted the plea agreement between Barnes and the government in *United States v. Comu et al.*, No. 3:19-CR-112-K on June 22, 2022. (ECF 388).

Respectfully submitted,

GLENN S. LEON
CHIEF, FRAUD SECTION

/s/ Theodore M. Kneller
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CERTIFICATE OF CONFERENCE

I hereby certify that on January 27, 2023, I responded via email to Cody Skipper's, counsel for Harley E. Barnes, III, inquiry regarding the timing of the government's foregoing Motion to Dismiss.

/s/ Theodore M. Kneller
THEODORE M. KNELLER
Trial Attorney
United States Department of Justice

CERTIFICATE OF SERVICE

I hereby certify that on February 6, 2023, I filed a true and correct copy of the foregoing Motion to Dismiss via the court's electronic case filing system, which will send a notification of filing to Cody Skipper, counsel for Harley E. Barnes, III.

/s/ Theodore M. Kneller
THEODORE M. KNELLER
Trial Attorney
United States Department of Justice